

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 110<sup>th</sup> Congress<sup>1</sup>**

[Date approved: June 2, 2008]<sup>2</sup>

**Bill No. and sponsor:** H.R. 4654 (Mr. Pete Hoekstra of Michigan).

**Proponent name,<sup>3</sup> location:** ESCO Company, Muskegon, MI.

**Other bills on product (110<sup>th</sup> Congress only):** None.

**Nature of bill:** Extension of temporary duty suspension through December 31, 2011.

**Retroactive effect:** None.

**Suggested article description(s) for enactment (including appropriate HTS subheading(s)):**

2-tert-Butyl-4-(2,4-dichloro-5-isopropoxyphenyl)- $\Delta$ 2-1,3,4-oxadiazolin-5-one (Oxadiazon) (CAS No. 19666-30-9) (provided for in subheading 2934.99.11).

**Check one:**  Same as that in bill as introduced.  
 Different from that in bill as introduced (see Technical comments section).

**Product information, including uses/applications and source(s) of imports:**

The subject product is a synthetic organic chemical that is used as the active ingredient in a herbicide which provides control of crabgrass and goosegrass. It is imported from Germany and France.

**Estimated effect on customs revenue:**

<b>HTS subheading: 2934.99.11</b>					
<del> </del>	2009	2010	2011	2012	2013
Col. 1-General rate of duty	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$8,901,200	\$8,901,200	\$8,901,200	\$8,901,200	\$8,901,200
Customs revenue loss 1/	\$0	\$578,578	\$578,578	\$578,578	\$578,578

1/ There is an existing duty suspension under HTS heading 9902.10.73 that expires on December 31, 2009. Therefore, there will be no customs revenue loss related to this bill in 2009.

Source of estimated dutiable import data: U.S. industry estimates.

<sup>1</sup> Industry analyst preparing report: L. Johnson (202-205-3351); Tariff Affairs contact: D. Michels (202-205-3440).

<sup>2</sup> Access to an electronic copy of this memorandum is available at [http://www.usitc.gov/tata/hts/other/rel\\_doc/bill\\_reports/](http://www.usitc.gov/tata/hts/other/rel_doc/bill_reports/).

<sup>3</sup> The sponsor/proponent did not identify any additional beneficiaries of this bill.

**Contacts with domestic firms/organizations (including the proponent):**

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
ESCO Company (Proponent) Bruce Rice, 231-726-3106	02/21/2008	No	No	No
Arkema Charles Kitchen, Fax: 215-419-7075	02/21/2008	No	No	No
Bayer CropScience Mike Gill, 202-508-8843	02/21/2008	No	No	No
BASF Corp. Greg Thies, 202-904-2332	02/21/2008	No	No	No
CropLife America Lawrence Norton, Fax: 202-463-0474	02/21/2008	No	No	No
Dow AgroSciences Max Turnipseed, Fax: 225-383-0590	02/21/2008	No	No	No
DuPont Elaine Olsen, Fax: 302-355-2994	02/21/2008	No	No	No
FMC Corp. Jerry Prout, Fax: 202-956-5235	02/21/2008	No	No	No
LANXESS Jamie Schaeffer, Fax: 412-809-3614	02/21/2008	No	No	No
Monsanto Corp. Michael Parrish, Fax: 202-789-1867	02/21/2008	No	No	No
Syngenta Crop Protection, Inc. Angus Kelly, Fax: 202-347-8758	02/21/2008	No	No	No
Valent USA Robin Demouth, Fax: 925-256-2776	02/21/2008	No	No	No

**Technical comments:<sup>4</sup>**

The Commission staff suggests that the article description on page 1 of this report be used in heading 9902.10.73 to conform it with the article description that is used in HTS subheading 2934.99.11.

<sup>4</sup> The Commission may express an opinion on the HTS classification of a product to facilitate consideration of the bill. However, by law, only the U.S. Customs Service is authorized to issue a binding ruling on this matter. The Commission believes that the U.S. Customs Service should be consulted prior to enactment of the bill.

110TH CONGRESS  
1ST SESSION

# H. R. 4654

To extend the temporary suspension of duty on Oxadiazon.

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IN THE HOUSE OF REPRESENTATIVES

DECEMBER 13, 2007

Mr. HOEKSTRA introduced the following bill; which was referred to the  
Committee on Ways and Means

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## A BILL

To extend the temporary suspension of duty on Oxadiazon.

1       *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. OXADIAZON.**

4       (a) IN GENERAL.—Heading 9902.10.73 of the Har-  
5 monized Tariff Schedule of the United States is amended  
6 by striking “12/31/2009” and inserting “12/31/2011”.

7       (b) EFFECTIVE DATE.—The amendment made by  
8 subsection (a) applies with respect to goods entered, or  
9 withdrawn from warehouse for consumption, on or after  
10 the 15th day after the date of the enactment of this Act.